

Chadds Ford Township Board of Supervisors Meeting
August 2, 2006
M I N U T E S

OFFICIALS PRESENT: George M. Thorpe, Acting Chairman
Garry Paul, Supervisor
Joseph Mastronardo, Township Engineer
Kathryn Luce Labrum, Acting Township Solicitor
Richard J. Jensen, Building Inspector/CEO
Maryann D. Furlong, Secretary/Treasurer

CALL TO ORDER

Acting Chairman George Thorpe called the meeting to order at 7:34 PM. The pledge of allegiance was recited. Mr. Thorpe identified two emergency exits.

STATE POLICE REPORT

There was no report available.

APPROVAL OF MINUTES

Since Mr. Thorpe was not present at the July Board meeting and Mrs. Love D'Elia was not present this evening, approval of the July 5, 2006 Board of Supervisors' minutes was postponed until next month.

SUPERVISORS REPORT

Acting Chairman Thorpe reported that two or more Supervisors were together at the following time:

- On July 28th all three Supervisors, Jim Fritsch, Acting Township Engineer, Joseph Mastronardo, Township Engineer, Richard Jensen and representatives of Ridge Associates met to discuss outstanding issues regarding development of the residential parcel on Ridge Road.

The Township has been informed that due to an abnormally high mosquito count, DEP will be spraying in the area behind Painters Crossroads Shopping Center on August 3rd, with a rain date of August 7th.

Mrs. Love D'Elia had asked Mr. Paul to read a prepared statement into the record in her absence as follows:

Dear Residents of Chadds Ford:

The storms over the past few months have knocked down and broken a large number of trees in the 100 foot buffer between the Toll development and adjacent properties. Toll has come close to completing the removal of the destroyed trees and vegetation. A landscape plan is being developed for the replacement of trees and vegetation in the buffer zone. The Township has hired the Brandywine Coservancy to review this replacement plan. Once this review is completed and accepted by the

Conservancy, a time table for this reestablishment of the buffer will be designed. Replantings will begin in the autumn season as recommended by landscaping professionals. Thank you for your patience in this matter.

TREASURER'S REPORT

Mrs. Furlong reported the following figures as of July 31, 2006:

Total deposits General Fund:	\$	176,278.48
Total disbursements General Fund:	\$	177,153.58
Total disbursements Escrow Fund:	\$	83,675.26
Cash Accounts Balances	\$	1,161,998.11

MOTION TO APPROVE TREASURER'S REPORT

Upon motion and second (Paul, Thorpe), the Supervisors unanimously voted to approve the Treasurer's Report for July, 2006, and authorized payment of bills in the amount of \$177,153.58.

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FIRE MARSHALL

Mr. Thorpe presented Mr. Wenrich's written report. A copy follows these minutes.

ROADMASTER'S REPORT

Joe Barakat, Roadmaster, summarized his written report. A copy follows.

Mr. Thorpe asked if Concord Township officials are in favor of installing a battery backup for traffic signals at Routes 202 and 1. Mr. Barakat responded that Concord is in favor of the proposal. Estimated costs were approximated at \$5,000.

Fred Reiter, Keith Klaver and Kathleen Goodier, all of Atwater Road, discussed safety issues regarding Unionville Chadds Ford school buses picking up and dropping off children on Webb Road. Buses are not able to access Atwater Road because apparently state regulations prohibit entry onto private roads. A turnaround on Atwater Road does exist, but it must be completed by the developer and offered to the Township for dedication. Mr. Jensen added that the developer was approached regarding the problem, but is not willing to assume responsibility for allowing school buses to enter the area. Lana Sheer stated this is an accident waiting to happen. Ed Wandersee, President of the Unionville Chadds Ford School District, offered to investigate the matter. Mr. Barakat will look into the possible installation of additional signage.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen submitted a written report and accompanying checks for the month of July.

A local Boy Scout, Steven Ryan, has volunteered to finish the landscaping at Turner's Mill as an Eagle Scout project. Mr. Jensen suggested having Scout Ryan present a proposal before the Board at the September meeting.

TOWNSHIP ENGINEER REPORT

Joseph Mastronardo, Township Engineer, reviewed his for report for July, 2006. A full copy follows.

In order to meet DEP requirements regarding the five year public education requirement for the Township's NPDES permit, Mr. Mastronardo suggested obtaining materials for prior years from Kelly Engineers as soon as possible.

Mr. Jensen asked that sufficient monies be retained in the Marshall Estate escrow to rectify stormwater bed issues.

Mr. Craig had called to complain of silt runoff from the Fisher Carpet Project. Mr. Mastronardo will investigate.

Mr. Paul asked for completion of the Village Sewer System design and revised plans to facilitate installation in order to meet time requirements for PennDOT repaving schedules.

PLANNING COMMISSION

Mr. Taylor, Planning Commission Chairman, read from a draft of minutes for the Planning Commission's most recent meeting of Wednesday, June 12, 2006.

In response to a question regarding status of the Comprehensive Plan, Mrs. Furlong reported that an initial meeting with representatives of Delaware County Planning had taken place in June. Materials are being reviewed and Planning Commission members are formulating suggestions for a task force to oversee the project.

ZONING HEARING BOARD

Mr. Wandersee reported on the Zorab hearing that had been held on July 19, 2006.

HARB

No new applications were received during July and nothing is currently pending before HARB.

SEWER AUTHORITY

Vince Del Rossi, Sewer Authority Chairman, read a report for the month of July. A copy follows.

ZONING VARIANCE APPLICATION

Mr. Jensen informed the Supervisors of a variance application filed by Ethan Allen regarding relief from the Township signage ordinance for a new site at Olde Ridge Village. Owners of the shopping

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center were present. Mr. Jensen stated that the application speaks for itself and is scheduled for hearing in August. Mr. Paul responded that Zoning Hearing Board members are qualified to render a decision on behalf of the Township. Mr. Thorpe said that sign

restrictions within the Township are well known and there is no need to send the Township Solicitor to oppose the application. Mrs. Reardon thanked Mr. Thorpe for his efforts to maintain signage limitations.

OPEN SPACE COMMITTEE

Ms. Saunders reviewed Open Space activities during July and also a meeting of the Brandywine Scenic Byways Committee.

EMERGENCY PREPAREDNESS

There was no meeting during the month of July.

PUBLIC COMMENT

Fred Reiter, Atwater Road, entertained those present with various quotations.

OLD BUSINESS

There was no old business on the agenda.

NEW BUSINESS

CONTRIBUTION TO RACHEL KOHL COMMUNITY LIBRARY FAMILY FUN DAY

Chadds Ford Township had contributed \$300 last year to share sponsorship of a ride at the annual Rachel Kohl Community Library Family Fun Day. The Library Board has asked the Township to donate \$550 this year in order to sponsor the train ride. Anonymous donations in the amount of \$250 have been pledged, netting an expense to the Township of \$300, the same as last year.

MOTION TO CONTRIBUTE \$550 TO THE KOHL COMMUNITY LIBRARY'S FAMILY FUN DAY

Upon motion and second (Paul, Thorpe), Supervisors present approved a donation in the amount of \$550 to the Rachel Kohl Community Library's annual Family Fun Day.

APPOINTMENT TO RACHEL KOHL COMMUNITY LIBRARY BOARD OF DIRECTORS

Jacqueline Skurla, a resident of Webb Road, had submitted a resume for consideration as the new Township representative to the Rachel Kohl Community Library Board of Directors.

MOTION TO APPOINT TOWNSHIP REPRESENTATIVE TO THE RACHEL KOHL COMMUNITY LIBRARY

Upon motion and second (Paul, Thorpe), the Supervisors present appointed Jacqueline Skurla as the Township representative to the Rachel Kohl Community Library Board to fill the current vacancy with a term running through December 31, 2009.

WAWA DEP PLANNING MODULE RESOLUTION

Engineers for applicant Wawa had submitted a DEP Planning Module application for the Township. After review by the Township Engineer, it was recommended that the Supervisors approve a resolution allowing the application to be submitted to DEP for formal review.

RESOLUTION 2006-15 DEP PLANNING MODULE WAWA at DILWORTHTOWN ROAD

Upon motion and second (Thorpe, Paul), the Supervisors present approved Resolution 2006-15, allowing revision of the Township's Act 537 plan for new land development by Wawa Corporation at Dilworthtown Road and Route 202.

HORAN SUBDIVISION/LAND DEVELOPMENT APPLICATION – FINAL APPROVAL

Gus Houtmann, PE, of G. D. Houtman and Son, was present to discuss the proposed two lot subdivision at 429 Webb Road consisting of an existing dwelling and various out buildings, including a barn, shed and pool house. The applicant had withdrawn a variance application. Plans were reviewed by both Kelly and Pennoni Engineering firms. The proposed driveway would correct a current problem with the line of sight. Stormwater management has been provided for both lots with calculations meeting or

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exceeding Township requirements. Septic and water will be on site. Planning modules have been sent to DEP for approval.

Mr. Mastronardo has received calculations from the applicant that indicate stormwater runoff will not adversely effect neighboring properties. The applicant agreed to enter into a stormwater maintenance agreement.

The Applicant was asked to come up with a practical solution regarding a PennDOT pipe and erosion at the base of the driveway.

MOTION TO APPROVE RESOLUTION 200-16 – SUBDIVISION/LAND DEVELOPMENT FINAL APPROVAL FOR 429 WEBB ROAD

Upon motion and second (Thorpe, Paul), the Supervisors present granted final approval for the minor subdivision at 429 Webb Road, consisting of approximately 5.1 acres to be divided into two lots, upon satisfactory resolution of twelve conditions as noted therein.

REQUEST FOR WAIVER FROM SECTION 406.K – MEANEY PROPERTY at 396 RING ROAD

Mr. Jensen and Mr. Mastronardo described a unique situation at the Meaney property where a minimum use driveway must cross a small rivulet in order to gain access to the lot. This is an encroachment into the riparian buffer, but there is no other way to proceed and most of the lot would be useless if relief is not granted by the Township. A note will be place on the plan.

MOTION TO GRANT WAIVER OF SECTION 406.K MEANEY PROPERTY – 396 RING ROAD

Upon motion and second (Paul, Thorpe), the Supervisors present granted a waiver of 406.K for encroachment of a proposed driveway into the riparian buffer on the property located at 396 Ring Road.

INN KEEPERS AT CHADDS FORD LAND DEVELOPMENT APPLICATION

(Mr. Jensen left the room prior to this presentation.)

Michael V. Naseef, Esquire and Steve Woodward, Design Engineering Consultants, reviewed a preliminary/final land development application of Concord Xing, LLC, for the property located at Route 1 and Creek Road. The applicant had appeared before the Zoning Hearing Board and received the requested relief in order to pursue the application.

Comments contained in the Township Engineer's review letter of August 1, 2006 were discussed as were the issues of inspection of the current septic system prior to issuance of a certificate of occupancy, the effect on stormwater flow by any future paving of additional parking areas, the PennDOT HOP permit, lack of a traffic study and the size of parking spaces.

No comments were available from the Fire Marshall.

Additional comments Number 8. and 9. were added to the proposed resolution.

Mr. Paul stated that public sewage will be coming to the site in question in the near future and it is expected that the applicant will promptly pay the tapping fees. The applicant's representatives agreed.

MOTION TO APPROVE RESOLUTION 2006-17 – PRELIMINARY/FINAL LAND DEVELOPMENT APPLICATION OF CONCORD XING FOR THE PROPERTY LOCATED AT ROUTE 1 and CREEK ROAD

Upon motion and second (Paul, Thorpe), the Supervisors present approved the preliminary/final land development application of Concord Xing, LLC, regarding the property located at Route 1 and Creek Road, including three (3) waivers and based on satisfactory resolution of the nine (9) conditions as included therein.

ESCROW RELEASES

Upon recommendation of the Township Engineer, the Board of Supervisors approved the following reductions and/or final releases for improvement security and various other escrows.

MOTION TO APPROVE FINAL RELEASE OF IMPROVEMENT SECURITY ESCROW – HARRY GRAY, DVM/BRANDYWINE VETERINARY

Upon motion and second (Thorpe, Paul), the Supervisors present approved the final release of the improvement security escrow of Harry Gray, DVM in the amount of \$32,085.76.

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MOTION TO APPROVE RELEASE #2 - IMPROVEMENT SECURITY ESCROW – LUREN D. DICKINSON/MARSHALL ESTATES

Upon motion and second (Thorpe, Paul), the Supervisors present approved release #2 of the improvement security escrow of Luren D. Dickinson for the Marshall Estates development in the amount of \$7,478.65.

MOTION TO RELEASE ESCROW FUNDS

Upon motion and second (Thorpe, Paul), the Board of Supervisors approved release of the following escrow funds subject to bills being reviewed and any outstanding bills being paid:

Name	Escrow Type	Original Amount	Amount
Refunded			
Horan	Zoning Hearing Board	\$750	\$597.59
Chadds Ford Township	Reimbursement for o/s bills Horan		\$152.41

A check made payable to Chadds Ford Township was also issued to transfer Loop Road Monies in the amount of \$43,360.85 from a Commerce escrow account to a new certificate of deposit at First Keystone Bank.

APPOINTMENT OF UCC APPEALS BOARD ALTERNATE MEMBER

Upon recommendation of the Township Solicitor, the Supervisors made the following appointment to the UCC Board of Appeals.

MOTION TO NOMINATE ALTERNATE MEMBER TO UCC BOARD

Upon motion and second (Thorpe, Paul), the Supervisors present appointed Frank Lamanna as an alternate member to the UCC Board of Appeals.

There being no further business, the meeting was adjourned at 9:41 PM.

Respectfully submitted,

MARYANN D. FURLONG,
Township Secretary